

Congress of the United States

Washington, DC 20515

October 20, 2011

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RE: Request for Review
East Central BOCES
BEN #: 142296
SPIN #: 143025872
Funding Years 2006-2010
FCC Docket Number: 02-06

Dear Chairman Genachowski:

The Federal Communications Commission's (FCC) mission in their National Broadband Plan is to bring high speed broadband to rural America. The E-Rate program has been successful in achieving this worthy goal during its partnership with East Central Board of Cooperative Educational Services (ECBOCES). The E-Rate program at the FCC is a critical part of making sure that children in rural and low-income communities across the country have fair access to the educational benefits that broadband can provide. Moreover, we support and commend the Commission for the steps it has taken over the past several years to protect against waste, fraud, and abuse in the E-Rate program, including the gift rule at issue.

On December 1, 2010, the ECBOCES schools filed an appeal with the FCC, seeking to overturn a denial and rescission of E-Rate funds by the Universal Service Administration Company (USAC). Subsequent to the appeal filed by the ECBOCES, a number of our offices sent letters to you requesting a careful review of the USAC decision, knowing the harm that such a denial and rescission would have on the ECBOCES students who rely on the E-Rate program. As was the case then, we are not offering an opinion on the details of the USAC decision; rather, we are simply reaffirming our call that the Commission continue to recognize that an honest effort was made on the part of the ECBOCES schools to comply with both the program rules and Colorado law.


However, for over ten months, ECBOCES has been anxiously awaiting a decision by the Commission concerning an appeal filed with the FCC to overturn the denial of E-Rate funds by the Universal Service Administrative Company (USAC). This important decision will determine whether 9,400 students in grades K through 12 and roughly 560 classroom teachers from 21 rural East Central Colorado School districts will continue to have access to high-speed internet service.

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As Members of Congress from both sides of the aisle in the House and the Senate, our concern is that the long delay in the appeal has imperiled ECBOCES educational effectiveness in planning their curriculum around the E-RATE program. Funding from this program allows for distance learning programs that give our school districts in rural areas a connection with one another to create a collaborative learning environment. For example, Morgan Community College has provided hundreds of high school students over the life of the E-Rate program with the opportunity to take advantage of their courses and it is these distance learning programs that are often the only means for students to take higher level courses. The E-Rate program makes these invaluable programs possible.

Again, we commend the Commission's attention to this very important matter and we would appreciate hearing from you at your earliest convenience regarding the impending decision.

Sincerely,



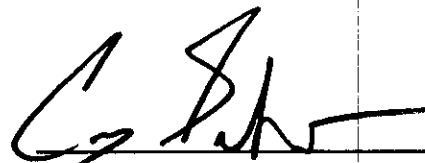
Mark Udall
U.S. Senator



Michael F. Bennet
U.S. Senator



Mike Coffman
Member of Congress



Cory Gardner
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION

March 14, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Cory Gardner
U.S. House of Representatives
213 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Gardner:

Thank you for your letter regarding the East Central Board of Cooperative Educational Services. I appreciate your bringing this matter to my attention and have directed the Chief of the Wireline Competition Bureau's Telecommunications Access Policy Division to respond. I am pleased to provide the enclosed letter addressing your concerns.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, consisting of a stylized 'J' followed by a horizontal line and a small flourish at the end.

Julius Genachowski

Enclosure



Federal Communications Commission
Washington, D.C. 20554

March 14, 2012

The Honorable Cory Gardner
U. S. House of Representatives
213 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Gardner:

Thank you for your inquiry regarding the concerns of the East Central Board of Cooperative Educational Services (ECBOCES) schools. Specifically, you inquired about the status of a pending appeal under the federal universal service schools and libraries support mechanism, commonly referred to as the E-rate program, for funding years 2006 - 2010. ECBOCES seeks Commission review of the Universal Service Administrative Company's determination that ECBOCES violated E-rate program competitive bidding rules by accepting improper gifts from a service provider.

The Commission strives to balance the goal of providing the important benefits of the E-rate program to eligible schools and libraries with the need to protect the integrity of the program and investigate potential waste, fraud, and abuse. On November 3, 2011, the Wireline Competition Bureau (Bureau) released an order that grants the ECBOCES appeal. The Bureau directed the Universal Service Administrative Company to issue funding commitments to ECBOCES for the underlying applications. I have attached a copy of the order for your review.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

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Trent B. Harkrader
Chief
Telecommunications Access Policy Division
Federal Communications Commission

cc: The Honorable Mark Udall
The Honorable Michael F. Bennet
The Honorable Mike Coffman



FEDERAL COMMUNICATIONS COMMISSION

March 14, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mike Coffman
U.S. House of Representatives
1222 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Coffman:

Thank you for your letter regarding the East Central Board of Cooperative Educational Services. I appreciate your bringing this matter to my attention and have directed the Chief of the Wireline Competition Bureau's Telecommunications Access Policy Division to respond. I am pleased to provide the enclosed letter addressing your concerns.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

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Julius Genachowski

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Federal Communications Commission
Washington, D.C. 20554

March 14, 2012

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1222 Longworth House Office Building
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FEDERAL COMMUNICATIONS COMMISSION

March 14, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Michael F. Bennet
United States Senate
702 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Bennet:

Thank you for your letter regarding the East Central Board of Cooperative Educational Services. I appreciate your bringing this matter to my attention and have directed the Chief of the Wireline Competition Bureau's Telecommunications Access Policy Division to respond. I am pleased to provide the enclosed letter addressing your concerns.

If you have any additional questions or need any further assistance, please do not hesitate to contact me.

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Julius Genachowski

Enclosure



Federal Communications Commission
Washington, D.C. 20554

March 14, 2012

The Honorable Michael F. Bennet
United States Senate
702 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Bennet:

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The Honorable Cory Gardner



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March 14, 2012

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317 Hart Senate Office Building
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